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PATENT

Atty. Docket No. 70605

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James J. Fitzgibbon )  
Paul E. Wanis )  
Colin B. Willmott )  
  
Appln. No. 09/840,601 )  
  
Filed: April 23, 2001 )  
  
Title: MOVABLE BARRIER )  
OPERATOR )  
  
Group Art )  
Unit: 2837 )  
  
Examiner: Not Yet Assigned )

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.

09/17/01

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Commissioner of Patents and Trademarks  
Attn: Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with MPEP §609 and 37 C.F.R. §§1.97 and 1.98, the applicant and the undersigned attorney wish to bring the following information to the Examiner's attention in connection with the examination of the above-captioned application.

U.S. PATENT DOCUMENTS			
<u>Patent No.</u>		<u>Inventor(s)</u>	<u>Issue Date</u>
1.	2,268,133	Carlson	Dec. 30, 1941
2.	3,147,001	Purdy	Sep. 01, 1964
3.	3,262,105	Bell	Jul. 19, 1966
4.	3,654,480	Stephenson	Apr. 04, 1972
5.	4,064,404	Willmott et al.	Dec. 20, 1977

U.S. PATENT DOCUMENTS			
<u>Patent No.</u>	<u>Inventor(s)</u>	<u>Issue Date</u>	
6. 4,234,833	Barrett	Nov. 18, 1980	
7. 4,263,536	Lee et al.	Apr. 21, 1981	
6. 4,348,625	Sharp	Sep. 07, 1982	
9. 4,365,250	Matsuoka et al.	Dec. 21, 1982	
10. 4,369,399	Lee et al.	Jan. 18, 1983	
11. 4,467,249	Swearingen, Jr.	Aug. 21, 1984	
12. 4,565,029	Kornbrekke et al.	Jan. 21, 1986	
13. 4,567,411	Reimann et al.	Jan. 28, 1986	
10. 4,597,428	Iha	Jul. 01, 1986	
15. 4,625,291	Hörmann	Nov. 25, 1986	
16. 4,638,433	Schindler	Jan. 20, 1987	
17. 4,673,848	Hagiwara et al.	Jun. 16, 1987	
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28. 5,137,500	Lhotak	Aug. 11, 1992	
29. 5,189,412	Mehta et al.	Feb. 23, 1993	
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<u>Patent No.</u>	<u>Inventor(s)</u>	<u>Issue Date</u>	
31. 5,233,185	Whitaker	Aug. 03, 1993	
32. 5,235,494	Chang et al.	Aug. 10, 1993	
33. 5,241,873	Hörmann	Sep. 07, 1993	
34. 5,278,480	Murray	Jan. 11, 1994	
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37. 5,412,297	Clark et al.	May 02, 1995	
38. 5,470,185	Tsubota et al.	Nov. 28, 1995	
39. 5,576,701	Heitschel et al.	Nov. 19, 1996	
40. 5,589,747	Utke	Dec. 31, 1996	
41. 5,596,840	Teich	Jan. 28, 1997	
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50. 6,091,217	Parsadayan	Jul. 18, 2000	
51. 6,172,475 B1	Fitzgibbon et al.	Jan. 09, 2001	
52. 6,229,276 B1	Fitzgibbon et al.	May 08, 2001	
53. 6,239,569 B1	Fitzgibbon et al.	May 29, 2001	
54. 6,246,196 B1	Fitzgibbon et al.	Jun. 12, 2001	
55. 6,278,249 B1	Fitzgibbon et al.	Aug. 21, 2001	

FOREIGN PATENT DOCUMENTS			
	<u>Patent No.</u>	<u>Published</u>	<u>Country</u>
56.	DE 297 06 251 U1	Oct. 02, 1997	GERMANY
57.	EP 0 280 854	Sep. 07, 1988	EPO
58.	EP 0 544 262	Jun. 02, 1993	EPO
59.	EP 0 767 288	Apr. 09, 1997	EPO
60.	EP 0 771 923	May 05, 1997	EPO
61.	EP 0 786 848	Jul. 30, 1997	EPO
62.	GB 2 122 382 A	Jan. 11, 1984	GREAT BRITAIN
63.	GB 2 245 389 A	Jan. 02, 1992	GREAT BRITAIN
64.	WO 90/10776	Sep. 20, 1990	PCT

The items mentioned above are listed on the PTO-1449 Form accompanying this Information Disclosure Statement (IDS). Copies of each reference are enclosed herewith. Applicants note that the purpose for filing this IDS is to cite in the instant application all the references cited in: (1) parent application no. 09/535,221 filed March 27, 2000, now issued U.S. Patent No. 6,278,249; (2) related divisional application nos. 09/161,840 filed June 5, 2000, now issued U.S. Patent No. 6,172,475; 09/536,832 filed March 27, 2000, now issued U.S. Patent No. 6,229,276; 09/536,055 filed March 27, 2000, now issued U.S. Patent No. 6,246,196; 09/536,833 filed March 27, 2000, now issued U.S. Patent No. 6,239,569; and 09/536,428 filed March 27, 2000; and (3) the related continuation applications of these divisional applications, including application nos. 09/693,141 filed October 20, 2000; 09/804,407 filed March 12, 2001; 09/804,411 filed March 12, 2001; and 09/785,619 filed February 16, 2001.

English abstracts are attached to each of the foreign patents listed, and are submitted as an explanation of relevance for each foreign reference.

Applicants further note that the specification of U.S. Patent No. 6,239,569 (the '569 patent) is substantially identical to the specification of the instant application and related U.S. Patent Nos. 6,278,249; 6,246,196; 6,229,276; and 6,172,475. Therefore, Applicants are submitting one copy of the '569 patent rather than submitting copies of each of these patents due to the size and cumulative nature of each reference in accordance with 37 C.F.R. §1.98(c).

Pursuant to 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,  
FITCH, EVEN, TABIN & FLANNERY

Dated: September 17, 2001

  
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